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Serial No. 09/302, 397  
Docket No. SON-0432US

**OFFICIAL**

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OCT 30 2003

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of

Kazundori Ozawa

Serial No. 09/302, 397

Group Art Unit: No. 2654

Filed: April 30, 1999

Examiner: Angela A. Armstrong

For: **SPEECH-CODING APPARATUS****AND SPEECH DECODING APPARATUS**

Commissioner for Patents

PO Box 1450

Alexandria, Virginia 22313-1450

**PETITION UNDER 37 C.F.R. §1.181  
TO RE-MAIL AN OUTSTANDING OFFICE ACTION WITH  
THE PREVIOUSLY MISSED REFERENCE**

Sir:

Applicant files this petition to re-mail an outstanding Office Action of August 12, 2003 with a copy of the previously missed reference. The facts are as follows:

On August 13, 2003, the undersigned received an Office action dated August 12, 2003, wherein the Examiner in making her rejection relied on an article entitle "M-LCELP Speech Coding at 4KBPS", Acoustics, Speech, and Signal Processing, 1994. ICASSP-94 IEEE International Conference on, Volume:1, 19-22 April 1994, pages: 1/29-1/272. The Examiner was immediately notified by a telephone call that the reference is missing. Specifically, Mr. Michael Whitham called Examiner Armstrong on August 16, 2003. Finally, after a number of phone reminders by the undersigned on October 8, 2003, the Examiner, Ms. Angela Armstrong, and her supervisor, Mr. Richemond Dorvil, promised that the action would be reissued and would be mailed the same day.

However, the reissued Office Action has never been received by the undersigned and the PTO electronic system PAIR does not show any activities

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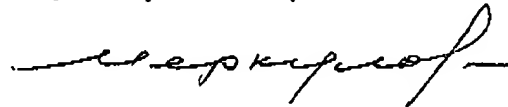
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within the file after August 12, 2003.

The 3 month due date for the response is November 12, 2003. However, we are unable to prepare a response to the outstanding office action without the above cited reference.

In view of the foregoing, it is respectfully requested that the Office Action of August 12, 2003 will be reissued and remailed with a copy of the article "M-LCELP Speech Coding at 4KBPS", Acoustics, Speech, and Signal Processing, 1994. ICASSP-94 IEEE International Conference on, Volume:1, 19-22 April 1994, pages: I/29-I/272. Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041 (Whitham, Curtis & Christofferson, P.C.).

Respectfully submitted,



Olga V. Merkoulouva  
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